

629 RECOGNIZES "EMERGENCY MEDICAL SERVICES WEEK"

Councilperson Boschetti offered the following resolution which was seconded by Councilperson Pike.

WHEREAS, September 17-23, 1989 has been declared "National Emergency Medical Services Week" by the American College of Emergency Physicians; and

WHEREAS, the Town of Riverhead wishes to join in this recognition of individuals and organizations which provide this outstanding service to the public; and

WHEREAS, since 1977, the Town of Riverhead has been fortunate in having 60 volunteers members organized as the Riverhead Town Volunteer Ambulance Corps providing 24-hour emergency medical service to its residents.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby recognize September 17-23, 1989 as "Emergency Medical Services Week" in the Town of Riverhead in acknowledgment of the exemplary fashion in which the members of the RTVAC perform their duties and in grateful appreciation for their contribution to the community; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Keith Lewin, Chief, RTVAC.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted by ACCLAMATION.

630 AUTHORIZES ATTENDANCE OF TOWN ATTORNEY AT SEMINAR

Councilperson Pike offered the following resolution, which was seconded by Councilperson Boschetti:

WHEREAS, the New York Planning Federation is hosting the 51st Annual Planning and Zoning Institute to be held at the Nevele Country Club & Fallsvue Hotel in Ellenville, New York, October 15-18, 1989; and

WHEREAS, it is the desire of the Town Attorney to attend said seminar.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney be and is hereby authorized to attend the 51st Annual Planning and Zoning Institute to be held at the Nevele Country Club & Fallsvue Hotel in Ellenville, New York, October 15-18, 1989; and be it further

RESOLVED, that an advance of \$500.00 be made to the Town Attorney, which advance represents registration fees and accomodations, which shall be receipted upon her return; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Town Attorney and the Accounting Department.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTION # 631 AUTHORIZING SUBMISSION OF APPLICATION TO NEW YORK STATE URBAN DEVELOPMENT CORPORATION FOR COMMERCIAL REVITALIZATION PROGRAM FUNDS

Councilperson Civiletti offered the following resolution which was seconded by Councilperson Lombardi.

Whereas, the New York State Urban Development Corporation is accepting applications for economic and technical assistance to improve facades in central business districts throughout the State, and

Whereas, under this program property owners within the designated downtown revitalization district are eligible for design assistance for storefront facades and loans to implement exterior improvements, and

Whereas, the Town of Riverhead will collect loan repayments through the property tax mechanism by levying a special assessment to tax lots with UDC-financed improvements and will remit repayments to UDC, and

Whereas, the Town has achieved the required participation of storefronts and property owners for submission of the application, for funds in the amount of \$300,000;

Now, Therefore, Be it Resolved, that the Supervisor be and hereby is authorized to execute the required application documents for submission to the Urban Development Corporation by September 29, 1989.

Be it Further Resolved, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Andrea Lohneiss, Community Development Director; Leroy Barnes, Chairman, Board of Assessors; and Patricia C. Moore, Town Attorney.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

632 APPOINTS HANDYWORKER WITH THE RIVERHEAD HOME CHORE PROGRAM

Councilperson Lombardi offered the following resolution which was seconded by Councilperson Civiletti.

WHEREAS, the availability of the position of Handyworker with the Riverhead Home Chore Program was duly advertised; and

WHEREAS, all applicants were thereafter interviewed.

NOW, THEREFORE BE IT RESOLVED, that Carl Mancuso be and is hereby appointed to the position of Handyworker with the Home Chore Program at the hourly rate of compensation of \$6.40 effective September 18, 1989; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Carl Mancuso, Lyn McDonald and the Office of Accounting.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

633 APPOINTS CAROL KRISTIANSEN SUBSTITUTE HOME AIDE

Councilperson Lombardi offered the following resolution which was seconded by Councilperson Civiletti.

RESOLVED, that Carol Kristiansen be and is hereby appointed substitute Home Aide with the Riverhead E.I.S.E.P. Program at the hourly rate of compensation of \$5.00 effective September 7, 1989; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Carol Kristiansen, Lyn McDonald and the Office of Accounting.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

634 AUTHORIZES ATTENDANCE OF POLICE OFFICER AT SEMINAR

Councilperson Boschetti offered the following resolution which was seconded by Councilperson Pike.

WHEREAS, the New York State Crime Prevention Coalition is hosting a Crime Prevention Seminar to be held in Alexandria Bay, New York on October 16 - 18, 1989; and

WHEREAS, it is the desire of Sergeant David Cheshire to attend said seminar; and

NOW, THEREFORE, BE IT RESOLVED, that Sergeant Cheshire be and is hereby authorized to attend the Crime Prevention Seminar in Alexandria Bay, New York on October 16 - 18, 1989; and

BE IT FURTHER RESOLVED, that Sergeant Cheshire receive advance monies in the amount of \$360 for related expenses, said expenses to be fully receipted upon his return; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Sergeant David Cheshire, Lt. Grattan and the Office of Accounting.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

9/19/89

1043

635 ADOPTS AMENDMENTS TO ARTICLE XXVI, CHAPTER 108 OF THE
RIVERHEAD TOWN CODE

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider various amendments to Article XXVI, Chapter 108 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 28th day of February, 1989, at 7:45 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board has issued its negative declaration regarding the amendment to the Riverhead Town Code and that this amendment will not have a significant impact upon the environment pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED, that the amendments to Article XXVI, Chapter 108 of the Riverhead Town Code which were the subject of the public hearing be and are hereby adopted as attached hereto and made a part hereof and marked EXHIBIT "A"; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution and the amendments upon which it is based once in the Riverhead News-Review and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Riverhead Planning Department and the Town Attorney's Office.

Dated: Riverhead, New York
September 19, 1989.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

*overstrike represents deletion(s)
**underscore represents addition(s)

108 - 129 E. Expiration

~~Site plan approval shall remain in effect for as long as a building permit, or any authorized renewal thereof, is in effect. In the event that the building permit shall expire without a certificate of occupancy having been issued, or in the event that a valid building permit is not obtained within one year, the Town Board may elect to revoke the site plan. In either case, thirty (30) days prior to expiration, application may be made to the Town Board for one (1) additional one (1) year extension of the site plan approval.~~

Site plan approval shall remain in effect for thirty-six (36) months. In the event that the applicant has not obtained a valid building permit within said thirty-six (36) month period, the Town Board may grant one (1) twelve (12) month extension of site plan approval, upon the request of the applicant made at least thirty (30) days prior to the expiration of the original thirty-six (36) month period. This Section shall also apply to site plans which have been approved but which have not obtained a building permit prior to the date of adoption of this Section. In such event, the time to obtain a building permit shall be thirty-six (36) months from the effective date of adoption of this Section.

108-130 B. All other districts:

~~Any activity or land use, except single family residential or agricultural, and their attendant accessory uses, requiring a building permit hereunder, including conversions and changes of uses, and all clearing and grading, except where the permit sought involves only a sign on a structure.~~

Any clearing, grading, new construction or any conversion, alteration, addition, or repair of an existing land use or structure except single-family residential or agricultural and their attendant accessory uses which requires a building permit and which will effect a change to the exterior of the affected structure(s) and/or area of the site, except signs. Nothing herein shall affect any owner's obligation to obtain a valid sign permit.

108-131 Applications

A. Preliminary Review

The site plan process shall commence with the submission of preliminary plan(s) for review by the Planning Department to determine code compliance and aesthetic compatibility. Said review shall be a process between the Planning Department staff and the project designer(s), with no time limitation or fee imposed. Plans shall include such drawings as shall clearly represent those structural, topographical, and design features that the Architectural Review Board and the Planning Department staff require to evaluate the proposed construction, addition, reconstruction, or alteration. Poor quality and/or incompleteness of drawings may result in resubmittal and consequent delay to applicants. The end result of the preliminary review shall be a site plan which shall be acceptable in concept for formal application.

- B. Subsequent to preliminary review, an application for site plan approval shall be made on the form for same provided by the Planning Department. ~~Eleven (11)~~ Twelve (12) copies, plus additional copies as may be required by other levels of government with jurisdiction over the site, of the application, a current survey prepared by a licensed surveyor, the site plan (if separate from the survey), and any other submission or exhibit required by this Article shall be submitted, together with a receipt for the appropriate fee, to the Planning Department.

The Planning Department shall reject any application if it is not so complete or in conformance, and shall notify the applicant as to the reason for such rejection.

For each application for site plan approval submitted to the Planning Department under the provisions of this ordinance, the filing fee shall be one hundred dollars (\$100.), plus one cent (\$.01) per square foot of site improvements and/or altered area. The fee to review an application to amend a previously approved site plan shall be fifty dollars (\$50.).

Revisions to a site plan or to elevations ~~in excess of fifty (50) percent of the total affected area, or which significantly change the character or appearance of the project, or which occur after the issuance of a certificate of occupancy,~~ shall constitute require re-submission of an amended site plan and shall be charged accordingly.

The site plan shall be drawn to the following minimum scales:

1. Overall development plan, sites of less than two (2) acres:
one inch equals twenty feet (1" = 20')
2. Overall development plan, sites of two (2) acres or more:
one inch equals forty feet (1" = 40')

3. Detailed portions of a site plan, sites of any size: one inch equals ten feet (1" = 10')

C. Further Processing

If the application is satisfactory, the Planning Department shall retain one (1) copy of the submission, and shall forward the remainder, within seven (7) days, to the Town Clerk. The Town Clerk shall clock all elements of a site plan application, shall retain one (1) copy for her file, and shall thereupon distribute the remaining copies, for review and comment, as follows:

- one (1) copy to the Office of the Supervisor;
- one (1) copy to the Building Department;
- one (1) copy to the Town Attorney;
- one (1) copy to the Town Board Coordinator;
- one (1) copy each to the Highway Superintendent, Sewer District Superintendent, and/or Water District Superintendent, as appropriate;
- two (2) copies to the Fire Marshal;
- one (1) copy to the Architectural Review Board.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared **TABLED.**

636 ADOPTS AMENDMENTS TO CHAPTER 48 OF THE RIVERHEAD TOWN
CODE

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider certain amendments to Chapter 48 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 15th day of August, 1989, at 7:55 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board has issued its negative declaration regarding the amendment to the Riverhead Town Code and that this amendment will not have a significant impact upon the environment pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED, that certain amendments to Chapter 48 of the Riverhead Town Code be and is hereby adopted as annexed hereto; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Riverhead News-Review and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Recreation Department, the Police Department and the Town Attorney's Office.

Dated: Riverhead, New York
September 5, 1989.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

*overstrike represents deletion(s)
**underscore represents addition(s)

A. ~~There shall be no motor vehicles permitted on~~
~~shall be operated upon the Sound Beach or the~~
~~Peconic Bay Beach at any time. Beach between June~~
~~15 and September 15, both inclusive, in each year~~
~~except between the hours of 7:00 p.m. and 10:00~~
~~a.m., except as herein provided.~~

B. ~~The operation of trikes, motorbikes, minibikes or~~
~~any other two- or three-wheeled, fuel-powered~~
~~vehicle shall be prohibited on any beach within the~~
~~Town of Riverhead.~~

~~§ 48-3. Operation of motor vehicles restricted.~~

A. ~~No motor vehicle may be operated on the beach at any time~~
~~unless same is duly registered by a State Motor Vehicle~~
~~Bureau.~~

B. ~~No motor vehicle may be operated upon the beach at any~~
~~time by a person who is not duly licensed to operate a~~
~~motor vehicle by a State Motor Vehicle Bureau.~~

C. ~~No motor vehicle may be operated upon the beach at any~~
~~time by any person unless a permit has been issued by the~~
~~Town of Riverhead for such use pursuant to § 48-7.~~

D. ~~No motor vehicle may be operated upon the beach by any~~
~~person unless the motor vehicle is insured under a valid~~
~~automobile liability insurance policy carrying the limits of~~
~~at least ten thousand/twenty thousand dollars~~
~~(\$10,000./\$20,000.).~~

~~§ 48-5. Maximum speed. [Amended 8-19-80]~~

~~No motor vehicle, except those designated in § 48-4, shall be~~
~~operated upon the beach, in a town-owned leased parking field or a~~
~~town-owned leased park at a speed in excess of ten (10) miles per~~
~~hour, except in areas where a lesser speed has been posted pur-~~
~~suant to a law, ordinance, local law, rule or regulation.~~

~~§ 48-6. Towing prohibited.~~

~~No motor vehicle shall be operated upon the beach for the use of~~
~~towing any person on, in, through or over the waters of the Long~~
~~Island Sound or the Peconic Bay.~~

~~§ 48-7. Application for permit; fee. [Amended 2-1-78, 6-19-84]~~

A. ~~[Amended 4-5-88] The Superintendent of Recreation is~~
~~heraby authorized to issue a permit for the use or operation of~~
~~a motor vehicle on the~~

~~beach to residents, tenants or taxpayers of the Town of Riverhead, upon due annual application at no cost to such persons. Said annual permit shall run from January 1 through December 31 of each year. The applicant shall furnish the following information:~~

- ~~(1) Name of applicant and address of the applicant's dwelling or residence.~~
- ~~(2) Applicant's driver's license number, date of issuance, date of expiration and state of motor vehicle bureau issuing such license.~~
- ~~(3) Make, model and year of the vehicle for which the permit is sought and the current registration number and state of registration of said motor vehicle.~~
- ~~(4) Name of automobile liability insurance company, policy number and expiration date of policy.~~
- ~~(5) Whether a previously issued permit hereunder has ever been suspended or revoked, and if so, the circumstances thereof.~~

~~B. The operation of trikes, motorbikes, minibikes or any other two or three wheeled fuel-powered vehicle shall be prohibited on any beach within the Town of Riverhead.~~

~~§ 48-8. Display of permit.~~

~~The permit required hereunder shall be affixed to the vehicle at all times and shall be displayed upon request to any peace officer or official of the State of New York, County of Suffolk or Town of Riverhead.~~

~~§ 48-9. Expiration of permit.~~

~~All permits issued pursuant to this Article shall expire on December 31 of the year issued.~~

The vote, Boschetti, no, Pike, no, Civiletti, no, Lombardi, no, Janoski, no.

The resolution was thereupon duly declared DENIED.

TABLED

637 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO
CONSIDER THE 1989 CIVIL SERVICE EMPLOYEES ASSOCIATION
MUNICIPAL LABOR CONTRACT

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti:

WHEREAS, pursuant to Section 209 of Civil Service Law, certain findings of fact and recommendations were submitted to the Town Board of the Town of Riverhead; and

WHEREAS, the Town Board of the Town of Riverhead did not accept, in whole or in part, the recommendations of the fact finder; and

WHEREAS, the Town Board of the Town of Riverhead and the Civil Service Employees Association have been unable to settle their dispute; and

WHEREAS, pursuant to Section 209(3)(e)(iii), the Town Board of the Town of Riverhead shall conduct a public hearing at which time the parties shall be required to explain their positions with respect to the report of the fact-finding board and, thereafter, the Town Board shall take such action as it deems to be in the public interest, including the interest of the employees of the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider the legislating of the 1989 Civil Service Employees Association Municipal Labor Contract:

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 3rd day of October, 1989, at 7:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the legislating of the 1989 Civil Service Employees Association Municipal Labor Contract as follows:

Pursuant to Section 209 of Civil Service Law, the Town Board of the Town of Riverhead and the employees of the Town of Riverhead will explain their respective positions with respect to the fact-finding report on conditions of employment prior to the Town Board's taking such action as it deems in the public interest.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the representatives of the Civil Service Employees Association Local 852 and the Town Attorney's Office.

Dated: Riverhead, New York
September 19, 1989.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared **TABLED**.

638 RELEASES BOND OF ADDITIVE PRODUCTS DIVISION OF KOLLMORGEN CORPORATION

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike:

WHEREAS, the Town Board of the Town of Riverhead adopted Resolution #515-1988, which resolution accepted a performance bond in the amount of \$12,000.00 from Additive Products Division of Kollmorgen Corporation to guarantee the removal of temporary trailers at the front of the facility located on West Lane, Aquebogue, New York; and

WHEREAS, the Building Department has advised that the trailers have been removed.

NOW, THEREFORE, BE IT

RESOLVED, that the performance bond of Additive Products Division of Kollmorgen Corporation in the amount of \$12,000.00 be and is hereby released; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Additive Products Division of Kollmorgen Corporation, the Building Department and the Town Attorney's Office.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

639 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO
CONSIDER AN AMENDMENT TO SECTION 101-10.1 OF THE
RIVERHEAD TOWN CODE

Councilperson Pike offered the following resolution, which was seconded by Councilperson Boschetti :

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider an amendment to Section 101-10.1 of the Riverhead Town Code:

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 3rd day of October, 1989, at 7:45 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Section 101-10.1 of the Riverhead Town Code as follows:

101-10.1. Parking, standing or stopping prohibited.

Street	Side	Location
West Main Street	North	From a monument set in the southeasterly corner of certain property designated as SCTM #0600-124-3-1 and running in a westerly direction 581+ feet to the southwesterly corner of certain property designated as SCTM #0600-125-2-5.5.

Dated: Riverhead, New York
September 19, 1989.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

640 ORDER PUBLIC HEARING RE: INCREASE AND IMPROVEMENT TO THE RIVERHEAD SEWER DISTRICT (WEST MAIN STREET LIFT STATION)

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi :

WHEREAS, the Town Board of the Town of Riverhead has previously held proceedings to authorize and increase and improvement to the West Main Street Lift Station at a cost not to exceed \$192,000.00, which project has been let to public bidding, which bids have been reviewed by Holzmacher, McLendon & Murrell, P.C., Consulting Engineers, who find the increased costs to be warranted;

WHEREAS, the Town Board of the Town of Riverhead had duly caused to be prepared a map, plan and estimate of cost for the increase and improvement of the facilities of the Riverhead Sewer District in said Town; and

WHEREAS, such overall plan encompasses the construction of improvements to the West Main Street Lift Station by the installation of a new wet well, pumps, valves, fittings, piping, pump control and backup electrical generation equipment and the acquisition of necessary land; and

WHEREAS, said Town Board now desires to call a public hearing on the question of increasing and improving the facilities of the entirety of said Riverhead Sewer District; and

WHEREAS, the maximum amount proposed to be expended for said increase and improvements to facilities is \$242,000.00, an increase of \$50,000.00, to be paid from existing finds of the Riverhead Sewer District, comprising of the construction of the improvements, the acquisition of necessary land, legal fees and appraisal; and

WHEREAS, it is now desired to call a public hearing on the matter of the increase and improvement of the facility in accordance with the provisions of Section 202-b of Town Law.

NOW, THEREFORE, BE IT

ORDERED by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. A public hearing will be held at 200 Howell Avenue, Riverhead, New York, in said Town, on the 3rd day of October, 1989, at 8:00 o'clock p.m., prevailing time, on the question of the increase and improvements of the facility of the Riverhead Sewer District in the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this resolution to be published, in its entirety, once in the Riverhead News-Review, the official newspaper, and also to cause a copy hereof to be posted on the signboard of the Town, such publication and posting to be made not less than ten (10), nor more than twenty (20), days before the date designated for the hearing.

Section 3. This order shall take effect immediately.

Dated: Riverhead, New York
September 19, 1989.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

641 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE OF PUBLIC HEARING ON THE APPLICATION OF RICHARD AND ANA JANKUS

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti:

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice with regard to the special permit application of Richard and Ana Jankus:

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 3rd day of October, 1989, at 8:05 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the special permit application of Richard and Ana Jankus to rent the structure located on property at 906 East Main Street, Riverhead, New York, known and designated as SCTM #0600-127-6-12, which property is currently located in the Business C Zoning Use District, as a single-family dwelling.

Dated: Riverhead, New York
September 19, 1989.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#642 AUTHORIZES WINTER STORAGE AT EAST CREEK MARINA

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike :

WHEREAS, Richard Smith, Maureen Smith and East Creek Marina of South Jamesport, Inc., did request on amendment to their lease between East Creek Marina of South Jamesport, Inc., and the Town of Riverhead, to conduct winter storage of boats at East Creek Marina, Town Beach Road, South Jamesport, New York; and

WHEREAS, this action has been determined to be a Type II action pursuant to the State Environmental Quality Review Act and will not have a significant effect upon the environment; and

WHEREAS, the Town Board desires to allow winter storage of boats at East Creek Marina of South Jamesport subject to certain conditions.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board, by this resolution, hereby authorizes Richard Smith and Maureen Smith to conduct winter storage of boats at East Creek Marina of South Jamesport, subject to the following conditions:

1. The existing fence may be increased to six feet in height;

2. There shall be proper disposal of fluids, material or waste at all times;

3. East Creek Marina of South Jamesport, Inc., and Richard and Maureen Smith shall provide to the Town of Riverhead waivers from all boat owners using the marina facility;

4. East Creek Marina of South Jamesport, Inc., and Richard and Maureen Smith shall indemnify and hold harmless the Town of Riverhead from any and all property loss or damage;

5. No more than sixty (60) boats shall be stored on the premises;

6. As additional rental pursuant to Paragraph 4 of the lease, ten (10%) percent of the receipts from the winter storage of boats shall be paid to the Town of Riverhead; and be it further

RESOLVED, that the Town Board, by this resolution, hereby further amends the lease dated May 27, 1982, as amended by Resolution #211 adopted by this Town Board on March 21, 1989, and as further amended by Resolution #607 adopted by this Town Board on September 5, 1989; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Carey David Kessler, Esq., attorney for the Smiths; Richard and Maureen Smith; and the Town Attorney's Office.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

#643

NOTICE OF PUBLIC HEARING IN THE MATTER OF THE INCREASE
AND IMPROVEMENTS OF THE WATER DISTRICTNOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Riverhead, Suffolk County, New York, adopted the following order calling a public hearing for October 3, 1989 with respect to a proposed increase in the maximum estimated cost of the increase and improvement of the facilities of the Riverhead Water District.

Dated: Riverhead, New York,
September 19, 1989.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF
RIVERHEAD, SUFFOLK COUNTY, NEW YORK

By Irene J. Pendzick
Town Clerk

#643 In the Matter of
the Increase and Improvement of
the Facilities of the Riverhead
Water District in the
Town of Riverhead, Suffolk County,
New York

Councilman Pike offered the following resolution which was
seconded by Councilman Boschetti.

WHEREAS, by proceedings heretofore duly had and taken, and particularly an order dated June 20, 1989, the Town Board of the Town of Riverhead, Suffolk County, New York, has determined it to be in the public interest to increase and improvement of the facilities of the Riverhead Water District by the construction

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of a new distribution system within Extension No. 35 - Wading River, including mains, valves, hydrants and necessary improvements and appurtenances in connection therewith, a portion of which will serve the entirety of said Riverhead Water District, which was then estimated to cost \$680,000; and

WHEREAS, it has now been determined that the maximum estimated cost of such facilities which will serve the entirety of said Riverhead Water District will cost \$1,238,000, an increase of \$558,000 over that previously authorized; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the entirety of said Riverhead Water District in the manner described above at a maximum estimated cost of \$1,238,000; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, Riverhead, New York, New York, on October 3, 1989, at 8:15 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of the entirety of the Riverhead Water District in the manner described in the preambles hereof at a new maximum estimated cost of \$1,238,000, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the notice of the public hearing to be published once in The Riverhead News-Review, the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty days before the date designated for the public hearing.

Section 3. The order shall take effect immediately.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#644 APPROVES SITE PLAN OF L.P.B. OF WADING RIVER, INC. --
PHASES 3 AND 4

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, a site plan and elevations were submitted by Mark Michaels as agent for L.P.B. of Wading River, Inc. for the construction of two (2) one-story office buildings with associated parking and site work located at the north side of New York State Route 25A, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-75-1-4.3 and 4.4; and

WHEREAS, the Planning Department has reviewed the site plan dated February 14, 1989, and most recently revised September 1, 1989, as prepared by Mark Michaels, Architect, One Dune Court, Setauket, New York 11733, and elevations dated February 14, 1989, Drawing No. 2 most recently revised September 1, 1989 (elevation drawings 2 and 5 of 10), as prepared by Mark Michaels, Architect, One Dune Court, Setauket, New York 11733, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Environmental Quality Review Board has determined that the action is a(n) Unlisted Action without significant impact upon the environment; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Unlisted Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Mark Michaels as agent for L.P.B. of Wading River, Inc., for the the construction of two (2) one-story office buildings with associated parking and site work, located at the north side of New York State Route 25A, Wading River, New York, site plan dated February 14, 1989, and most recently revised September 1, 1989, as prepared by Mark Michaels, Architect, One Dune Court, Setauket, New York 11733, and elevations dated February 14, 1989, Drawing No. 2 most recently revised September 1, 1989 (elevation drawings 2 and 5 of 10), as prepared by Mark Michaels, Architect, One Dune Court, Setauket, New York 11733, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

5. That the applicant is familiar with the Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and agrees to abide by same;

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

7. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

8. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, L.P.B. OF WADING RIVER, INC. hereby authorizes the Town of Riverhead to enter premises at the north side of New York State Route 25A, Wading River, New York, to enforce said handicapped parking regulations;

10. That by execution and filing of this document, L.P.B. OF WADING RIVER, INC. hereby authorizes and consents to

the Town of Riverhead to enter premises at the north side of New York State Route 25A, Wading River, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

11. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

12. That all utilities shall be constructed underground; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Mark Michaels, L.P.B. of Wading River, Inc., the Riverhead Planning Department, the Riverhead Building Department, and the Office of the Town Attorney.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1989, made by L.P.B. OF WADING RIVER, INC., residing at Route 25A, Wading River, New York, 11901, Declarant.

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns; to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

On the _____ day of _____, 1989, before me personally came _____, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the _____ of L.P.B. of Wading River, Inc. owner of certain real property located at the

north side of New York State Route 25A, Wading River, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

645 AWARDS BID FOR FOR THE INSTALLATION OF A WATER MAIN
LATERAL AT WARSAW PARK

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for installation of a ductile iron lateral water main and appurtenances at the industrial subdivision known as "Warsaw Park"; and

WHEREAS, bids were received and read aloud on the 14th day of September, 1989, at 11:10 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders; and

WHEREAS, it is now desireable to award said bid.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for installation of a ductile iron water main lateral and appurtenances at the industrial subdivision known as "Warsaw Park" be and is hereby awarded to F. Noto, Inc., in the amount of twenty-two thousand seven hundres seventy-nine and 00/100 (\$22,779.00) dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to F. Noto, Inc.; the Riverhead Water District, Holzmacher, McLendon & Murrell, P.C.; Pierre G. Lundberg, Esq. and the Town Attorney's Office.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

646 ORDER ESTABLISHING EXTENSION 35A

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike,

WHEREAS, application has been made by the owners of the realty development for an extension to the Riverhead Water District consisting of the construction of mains and appurtenances to serve the development as more particularly described in the exhibit attached hereto, and

WHEREAS, the Riverhead Town Board, as governing body of the Riverhead Water District, caused a report to be made by H2M, consulting engineers to the Riverhead Water District, and

WHEREAS, the cost for the installation of said mains and appurtenances shall be borne solely by the applicant with no portion thereof to be borne by the district as a whole, and

WHEREAS, the cost of the proposed transmission/distribution system is estimated to cost \$85,000.00, including the service line connectors and 12,000 feet of 6, 8, and 12 inch water mains, valves, hydrants and appurtenances, as detailed in the extension report, and

WHEREAS, the applicant shall pay key money in the amount of \$17,500.00, and

WHEREAS, the Town Board called a public hearing for July 5, 1989, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District is in the best interest of the district and will benefit the property to be served, and it is further

RESOLVED, that the installation of said mains comprising the proposed transmission/distribution system is \$85,000.00, including the service line connectors, water mains, valves, hydrants and appurtenances, all being constructed subject to the following conditions:

1. The owner grants a permanent, unobstructed subsurface easement for the installation and maintenance of water mains

and appurtenances within the proposed development;

2. The owner has posted a bond or letter of credit covering the cost of construction in the amount of \$85,000.00;

3. Key money to be posted by cash or bond in the amount of \$17,500.00. If said amount is bonded, key money of \$17,500.00 shall be payable when a certificate of occupancy is issued by the Riverhead Building Department. The balance of all key money due shall be owed after the passage of two years from the date of this resolution.

and it is further

RESOLVED, that the Town Clerk forward a certified copy of the resolution to Pierre Lundberg, Esq., H2M, Superintendent Gary Pendzick, and Mark Michaels, AIA.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RIVERHEAD WATER DISTRICTDESCRIPTION OF EXTENSION NO. 35AROUTE 25A OFFICES (WADING RIVER)

BEGINNING at a point on the existing Riverhead Water District boundary (Extension No. 35 Wading River) which point is the southwest corner of Section 75, Block 1, Lot 5.4, also the northwest corner of Section 75, Block 1, Lot 4.2.

Running thence easterly along the southside of Lot 5.4 and a portion of Lot 5.5 (the north line of Lots 4.2, 4.3 and 4.4 to the northeast corner of Lot 4.4).

Thence southerly along the east line of Lot 4.4 (west line of Lot 4.1) to and across New York State Route 25A and along an extension of this line to a point 500 feet south of New York State Route 25A, said point being within Section 75, Block 3, Lot 10.1.

Thence westerly along a line parallel to and 500 feet south of New York State Route 25A to the west line of Lot 10.1 (east line of Lot 4).

Thence northerly along the west line of Lot 10.1 (east line of Lot 4) to and across New York State Route 25A to the southwest corner of Section 75, Block 1, Lot 4.2.

Thence northerly along the west line of Lot 4.2 (east line of Lot 3) to the northwest corner of Lot 4.2, the point of BEGINNING.

647 AWARDS BID FOR FOR THE INSTALLATION OF WATER MAINS AND
APPURTENANCES FOR EXTENSION 35A OF THE RIVERHEAD WATER
DISTRICT

Councilperson Pike offered the following resolution, which was seconded by Councilperson Boschetti :

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for the installation of ductile iron water mains and appurtenances for Extension 35A of the Riverhead Water District; and

WHEREAS, bids were received and read aloud on the 14th day of September, 1989, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders; and

WHEREAS, it is now desireable to award said bid.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the installation of ductile iron water mains and appurtenances for Extension 35A to the Riverhead Water District be and is hereby awarded to Grimes Contracting, Inc., in the amount of thirty-nine thousand six hundred eighty-two and 00/100 (\$39,682.00) dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Grimes Contracting, Inc.; the Riverhead Water District; Holzmacher, McLendon & Murrell, P.C.; Pierre G. Lundberg, Esq. and the Town Attorney's Office.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

648 APPROVES APPLICATION OF RIVERHEAD RACEWAY FOR AN AUTO
PARTS SWAP MEET

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, Riverhead Raceway, by Robert F. O'Rourke, Sr., submitted an application for an auto parts swap meet to be held at the Riverhead Raceway, Route 58, Riverhead, New York, on Sunday, October 8, 1989 (rain date: Sunday, October 22) from 9:00 a.m. to 5:00 p.m.; and

WHEREAS, certificates of insurance have been received naming the Town of Riverhead as Additional Insured; and

WHEREAS, the Town Board of the Town of Riverhead has reviewed all documents regarding said application.

NOW, THEREFORE, BE IT

RESOLVED, that the application of Riverhead Raceway to hold an auto parts swap meet at the Riverhead Raceway, Route 58, Riverhead, New York, on Sunday, October 8, 1989 (rain date: Sunday, October 22) from 9:00 a.m. to 5:00 p.m. be and is hereby approved; and be it further;

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this application to Robert F. O'Rourke, Sr., the Riverhead Police Department and the Town Attorney's Office.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

649 ADDS SUBSECTION "C" TO SECTION 108-95 OF THE RIVERHEAD TOWN CODE

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti:

WHEREAS, the Riverhead Planning Board recommended certain amendments to Section 108 of the Town Code (Subdivision Regulations) respecting the calculation of yield, and

WHEREAS, the Code Revision Committee of the Town Board recommended these changes be heard by the public, and

WHEREAS, the Riverhead Town Board held a public hearing regarding the proposed amendments to the subdivision regulations on February 28, 1989, and

WHEREAS, the public hearing record has been carefully considered by the Town Board with respect to the impact on land subdivision procedure and the ultimate configuration of lots;

NOW, THEREFORE, BE IT

RESOLVED, that Article XX Section 108-95 be amended to include Subsection "C" to read as follows:

STANDARD YIELD REQUIREMENTS

"C" 1. A standard yield plan shall be submitted to the Planning Board in its consideration of all subdivisions of land in order to determine the appropriate number of building lots which can be created from the subject tract. The standard yield plan shall conform in all respects to both the dimensional requirements set forth in the respective zoning ordinance and the Zoning Use District Schedule, as well as the provisions of this Article. The location of land to be offered for dedication for recreational purposes to satisfy the requirements of this Article shall be shown on the standard yield plan unless the Planning Board has determined that a fee will be accepted in lieu of a parkland dedication pursuant to Section 108-97(B)14. The standard yield plan shall exclude the following features from consideration as areas contributing to total lot yield:

- A. Water surfaces;
- B. Tidal marsh and freshwater wetland areas as defined by Section 107-3 of the Riverhead Town Code;
- C. Horizontal area of escarpments, bluffs or the seaward faces of primary dunes;

- D. Beaches below mean high water as defined by the United States Coast and Geodetic Survey Quadrangle Benchmark Elevations and tidal values for the respective area, and any beach lying between the aforementioned mean high water line and the area referenced in Subsection C(1)(c) of this Section;
- E. Areas required for park dedication pursuant to this Article;
- F. Areas required for recharge of stormwater pursuant to this Article;
- G. Areas required for the provision of public highways pursuant to this Article;
- H. Areas required for proposed utilities or public facilities, except minor utility easements of direct service to the subdivision.

2. For the purposes of this Section, the "area contributing to total lot yield" and "lot area" shall not have identical meaning. The total lot yield shall be the total number of lots which will result from the division of a parcel of real property. The lot area of a proposed parcel may include areas described in Section C(1)(A - D) provided the proposed lot shall have the minimum lot area required by the respective Zoning Use District, exclusive of those areas described in Section C(1)(A - D) of this Article.

3. For the purposes of this Section, standard yield plans shall clearly depict the areas listed in Subsection C(1) of this Article and shall provide specific area calculations of proposed parcels and excluded areas.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

650 DESIGNATES LEAD AGENCY AND DETERMINES ENVIRONMENTAL SIGNIFICANCE
OF THE CHANGE OF ZONE PETITION OF TWO BEARS BUILDERS, INC.

Councilperson Pike offered the following resolution,
which was seconded by Councilperson Civiletti.

WHEREAS, the Riverhead Town Board is in receipt of a change of zone petition from Two Bears Builders, Incorporated to overlay the Redevelopment Community District to the exclusion of the existing Residence C and Agriculture A Zoning Districts existing on certain parcels of land located on Middle Road within the Hamlet of Riverhead (Suffolk County Tax Map Numbers 0600-064-2-2, 0600-082-04-226.5, and 0600-082-04-229.1, and

WHEREAS, the Riverhead Planning Department has reviewed the Environmental Assessment Form attending this petition as well as other supporting information and has issued a planning report indicating that major environmental impacts associated with such change can be mitigated through project design and the subdivision review process;

THEREFORE, BE IT

RESOLVED, that after careful review and consideration of the record of the petitioned change of zone, the Town Board of the Town of Riverhead declares itself to be the lead agency in the matter of the change of zone petition of Two Bears Builders, Inc., and

BE IT FURTHER

RESOLVED, that subsequent to an analysis of the relevant areas of environmental concern and a review of their relative impacts, the subject petition be considered a Type I Action without a significant effect upon the environment and that an Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that the Planning Department be directed to prepare those Notices for Negative Declaration as required by 617.10.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

September 19, 1989

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Riverhead Town Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action - Change of Zone for Two Bears Builders, Inc.

SEQR Status - Type I

Conditioned Negative Declaration: No

Description of Action: Applicant has requested an overlay of the provisions of the Residence 'RDC' Zoning Use District (as set out in Article XXIV of the Town Code) on the subject 142.9 acre parcel (which is currently zoned Residence 'C' and Agriculture 'A'). That designation provides all uses are by Special Permit of the Town Board and this review and determination covers the zone change and that permit only. This review recognizes the ultimate buildout of the property shall require subdivision approval and that process will have a further SEQR review incumbent upon it. This strategy is not inconsistent to 617.3(k)(1), but rather provides for the most thorough review possible.

Location: North of Middle Road (at the northerly terminus of Ostrander Avenue), approximately 1400' east of Roanoke Avenue, Riverhead Hamlet and Township, Suffolk County, Suffolk County Tax Map Numbers 0600-64-2-2, 0600-82-4-226.5, and 0600-82-4-229.1

Reasons Supporting This Document:

The action, as defined in 617.2(b) and 617.3(k) was considered by examination of the full Environmental Assessment Form and supporting documentation including an expanded Part 'D.' No potentially large and important impacts were discovered. All impacts which can reasonably be expected to result from this action when compared to criteria of 617.11 revealed no indications of environmental effect sufficient to trigger the preparation of an Environmental Impact Statement. Issues are readily addressable by condition to the special permit and through the further SEQR review of the eventual subdivision by the sketch plan approval process.

For further information:

Contact Person: Town of Riverhead Planning Department
200 Howell Avenue
Riverhead, NY 11901
(516) 727-3200

#651 APPROVES SITE PLAN OF DR. MARC H. LEVEY AND BEVERLY CARROLL LEVEY

Councilperson Pike offered the following resolution, which was seconded by Councilperson Civiletti:

WHEREAS, a site plan and elevations were submitted by Dr. Marc H. Levey and Beverly Carroll Levey for the renovation of an existing residence for use as a dental office located at Church Lane, Aquebogue, New York, known and designated as Suffolk County Tax Map Number 0600-67-1-12; and

WHEREAS, the Planning Department has reviewed the site plan dated August 9, 1989, as prepared by Donald A. Denis, AIA, P.C., P.O. Box 565, Aquebogue, New York 11931, and elevations dated August 9, 1989 (sheets A2 and A3), as prepared by Donald A. Denis, AIA, P.C., P.O. Box 565, Aquebogue, New York 11931, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Environmental Quality Review Board has determined that the action is a(n) Unlisted Action without significant impact upon the environment; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Unlisted Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Dr. Marc H. Levey and Beverly Carroll Levey, for the the renovation of an existing residence for use as a dental office, located at Church Lane, Aquebogue, New York, site plan dated August 9, 1989, as prepared by Donald A. Denis, AIA, P.C., P.O. Box 565, Aquebogue, New York 11931, and elevations dated August 9, 1989 (sheets A2 and A3), as prepared by Donald A. Denis, AIA, P.C., P.O. Box 565, Aquebogue, New York 11931, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

5. That the applicant is familiar with the Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and agrees to abide by same;

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

7. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

8. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, DR. MARC H. LEVEY AND BEVERLY CARROLL LEVEY hereby authorizes the Town of Riverhead to enter premises at Church Lane, Aquebogue, New York, to enforce said handicapped parking regulations;

10. That by execution and filing of this document, DR. MARC H. LEVEY AND BEVERLY CARROLL LEVEY hereby authorizes and consents to the Town of Riverhead to enter premises at Church Lane, Aquebogue, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

11. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

12. That all utilities shall be constructed underground; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Dr. Marc H. Levey and Beverly Carroll Levey, Donald A. Denis, AIA, P.C., the Riverhead Planning Department, the Riverhead Building Department, and the Office of the Town Attorney.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1989, made by DR. MARC H. LEVEY AND BEVERLY CARROLL LEVEY, residing at Highland Road, P.O. Box 812, Cutchogue, New York, 11935, Declarant.

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns; to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

On the _____ day of _____, 1989, before me personally came DR. MARC H. LEVEY AND BEVERLY CARROLL LEVEY, to me known and known to be the individuals who executed the foregoing instrument; that they are the owner of certain real property located at Church Lane, Aquebogue, New York, the subject property of this Declaration and Covenant, and understand the content thereof; and that they did swear to me that they executed the same.

NOTARY PUBLIC

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

652 AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT WITH
RIVERHEAD CIVIL SERVICE EMPLOYEES ASSOCIATION

Councilperson Civiletti offered the following
resolution which was seconded by Councilperson Lombardi.

WHEREAS, a letter of intent has been executed with regard to
the terms and conditions of the labor contract between the Town
of Riverhead and the Riverhead CSEA for the period January 1,
1989 through December 31, 1990.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and
is hereby authorized to execute a contract between the Town of
Riverhead and the Riverhead CSEA; and

BE IT FURTHER RESOLVED, that said contract is subject to the
review of the negotiating committees and counsel of the Town
Board of the Town of Riverhead and the Riverhead CSEA; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby
directed to forward a copy of this resolution to William Vitollo,
President, Riverhead CSEA.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#653 AUTHORIZES PAYMENT OF BILLS.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Civiletti.

RESOLVED, that the Supervisor be and is hereby authorized to pay the following:

GENERAL TOWN

Abstract #20 vouchers 1325-1329 totalling \$ 965,782.12
vouchers 1978-3555

AMBULANCE

Abstract #20 vouchers(not listed) totalling \$ 25,000.00

TEEN CENTER

Abstract #20 vouchers 15-16 totalling \$ 354.80

HIGHWAY

Abstract #20 vouchers 380-427 totalling \$1,148.844.47

REPAIR & MAINTENANCE

Abstract #20 vouchers 1 totalling \$ 8,465.55

STREET LIGHTING

Abstract #20 vouchers 123-134 totalling \$ 313,340.78

PUBLIC PARKING

Abstract #20 vouchers 87-93 totalling \$ 3,683.88

DISCRETIONARY

Abstract #20 vouchers 111-115,189 totalling \$ 70,583.39
193-202

MUNICIPAL FUEL

Abstract #20 vouchers 27 totalling \$ 6,290.98

MUNICIPAL GARAGE

Abstract #20 vouchers 148-173 totalling \$ 7,941.92

TRUST & AGENCY

Abstract #20 vouchers 32-33 totalling \$ 470,841.68

RISK RETENTION

Abstract #20 vouchers 75 totalling \$ 531.25

TOWN HALL CAPITAL PROJECTS

Abstract #20 vouchers 122-136 totalling \$ 56,121.49

UNEMPLOYMENT INSURANCE RESERVE

Abstract #20 vouchers (not listed) totalling \$ 55,000.00

9/19/89

GENERAL TOWN DEBT SERVICE

Abstract #20 vouchers (not listed) totalling \$ 17,357.50

EIGHT HUNDRED SERIES

Abstract #20 vouchers 36-43 totalling \$ 234,604.81

YOUTH SERVICES

Abstract #20 vouchers 52-54 totalling \$ 1,434.23

SENIORS HELPING SENIORS

Abstract #20 vouchers 86-94 totalling \$ 1,652.94

EISEP

Abstract #20 vouchers 60-62,44-45 totalling \$ 1,817.79

The vote, Boschetti, yes, Pike, absent, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.